
**CHILD WELFARE SERVICES PROGRAM
SERVICE DELIVERY**

TABLE OF CONTENTS

CHAPTER 31-300 SERVICE DELIVERY

	Section
General Requirements for Service Delivery	31-301
Use of Volunteers	31-305
Social Worker Responsibilities for Service Delivery	31-310
Service-Funded Activities	31-315
Social Worker/Probation Officer Contacts with the Child	31-320
Social Worker Contacts with the Parent/Guardian.....	31-325
Social Worker Contacts with the Out-of-Home Care Provider.....	31-330
Social Worker Contacts with Other Service Providers.....	31-335
Parent/Guardian Contacts with the Child.....	31-340
Grandparent Contacts with the Child	31-345

This page is intentionally left blank.

CHAPTER 31-300 SERVICE DELIVERY

31-301 GENERAL REQUIREMENTS FOR SERVICE DELIVERY 31-301

- .1 The individual child's case plan shall be the guiding principle in the provision of child welfare services.
 - .11 The social worker shall ensure that the provision of all services is consistent with the case plan goals specified in the child's case plan.
- .2 The county shall meet the requirements specified in Welfare and Institutions Code Section 16501(c) when purchasing services.
 - .21 Counties shall not contract for case management services and any activities which are mandated by the Division 31 regulations to be performed by the social worker.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16501.1, Welfare and Institutions Code.

31-305 USE OF VOLUNTEERS 31-305

- .1 The county may use volunteers to supplement professional child welfare services.
 - .11 The county shall ensure that volunteers comply with all statutes and regulations governing the child welfare services program.
 - .12 The county shall not delegate to volunteers any responsibilities and activities that are mandated by statute or regulation to be performed by social workers.
 - .13 The county shall not use volunteers to supplant social workers.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16501(e), Welfare and Institutions Code.

31-310	SOCIAL WORKER RESPONSIBILITIES FOR SERVICE DELIVERY	31-310
---------------	--	---------------

- .1 In providing or arranging for the provision of services identified in the case plan, the social worker shall:
 - .11 Assist each child to understand through the provision of age-appropriate counseling the reason(s) for providing service to handle associated emotional problems.
 - .12 Monitor the child's physical and emotional condition.
 - .13 When a child's family is being provided services in order to maintain the child in the home, take action as necessary to ensure that the child's protective needs continue to be met.
 - .14 Assist the parent(s)/guardian(s) to understand agency procedures, the orders of the courts, if any, or arrangements between the county and other agencies.
 - .15 Provide to the parent(s)/guardian(s) of a child voluntarily receiving services both verbal and written information regarding the possibility that legal action may be taken which could result in removal of the child from the home if parenting problems are not solved and the child remains at risk of abuse, neglect, or exploitation.
 - .16 Provide respite and out-of-home care providers information of any known or suspected dangerous behavior of the child.
 - .161 The social worker shall document in the case record any information provided to the respite and out-of-home care provider regarding the child's known or suspected dangerous behavior, including the following:
 - (a) Date information was provided.
 - (b) Name of person receiving information.
 - (c) Specific facts provided.
 - (d) Affirmation that the person informed was advised that the facts were confidential and that unauthorized disclosure could result in a fine up to \$1,000.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 361.2, 10850, and 16501.1, Welfare and Institutions Code and Section 19, Penal Code.

31-315	SERVICE-FUNDED ACTIVITIES	31-315
---------------	----------------------------------	---------------

- .1 Service-funded activities shall be available to children and their families in all phases of the Child Welfare Services program as specifically identified in the child's case plan.
- .2 Service-funded activities shall be provided as necessary to ensure the protection of the child.
- .3 State funding of service-funded activities shall be limited to the amount allocated to each county by the Department from funds appropriated to the Department in the annual Budget Act for the purpose of funding child welfare services.
 - .31 If service-funded activities are available through other public and private sources, the county shall exhaust those sources prior to authorizing the expenditure of state funds appropriated for the purpose of funding child welfare services.
- .4 The range of service-funded activities shall include, but not be limited to, the following:
 - (a) Case management.
 - (b) Counseling.
 - (c) Emergency shelter care, as specified in Section 31-415.
 - (d) Emergency/Temporary in-home caretakers.
 - (e) Therapeutic day services.
 - (f) Teaching and demonstrating homemakers.
 - (g) Parenting training.
 - (h) Substance abuse testing.
 - (i) Transportation.
 - (j) Respite care.

31-315	SERVICE-FUNDED ACTIVITIES	31-315
---------------	----------------------------------	---------------

(Continued)

- (1) Respite care services shall be provided only when there is a clear understanding of the time at which the parent(s)/foster parent(s) is expected to return to the home or be prepared to accept the child back into the home or to undertake alternative courses of action to arrange for the child's future care.
- (2) Respite care services shall not exceed 72 hours per session.
- (3) Respite care services shall not be provided for the purpose of routine ongoing child day care.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16501(a)(1) and (2) and 16501(b), Welfare and Institutions Code.

31-320	SOCIAL WORKER/PROBATION OFFICER CONTACTS WITH THE CHILD	31-320
---------------	--	---------------

- .1 The social worker/probation officer shall arrange for visitation, as determined in the child's case plan, for each child.

HANDBOOK BEGINS HERE

- .11 The purpose of social worker contact with the child is to achieve the following objectives:
- .111 Verify the location of the child, monitor the safety of the child, assess the child's well-being, and assist the child in preserving and maintaining religious and ethnic identity.
 - .112 Gather information to assess the effectiveness of services provided to meet the child's needs, to monitor the child's progress, and to meet identified goals.
 - .113 Establish and maintain a helping relationship between social worker and child to provide continuity and stability point for the child.
 - .114 Solicit the child's input on his/her future. Inform the child as to current and future placement plans and progress, and discuss these plans and progress with the child.

HANDBOOK ENDS HERE

31-320	SOCIAL WORKER/PROBATION OFFICER CONTACTS WITH THE CHILD (Continued)	31-320
---------------	--	---------------

- .2 The social worker shall visit the child at least three times in the first 30 calendar days, including the initial in-person response.
 - .21 If the case plan is completed in the first 21 calendar days after the initial removal of the child or in-person response, the social worker shall be permitted to have less frequent visits, up to a minimum of twice in the first 21 calendar days.
- .3 The social worker shall visit each child with an approved case plan who remains in the home at least once each calendar month.
 - .31 The social worker shall be permitted to have less frequent visits, up to a minimum of once every two months, only if all the following criteria are met and written supervisory approval has been obtained:
 - .311 The child has no severe physical or emotional problems caused or aggravated by remaining in his/her own home.
 - .312 The child is visited at least once a week by a family preservation social worker or public health nurse when such persons are providing services pursuant to the case plan; and there is a verbal or written agreement with any such services provider, documented in the case record, that he/she will provide contact reports to the social worker.
 - (a) The social worker shall ensure that verbal or written reports are received and documented in the case record.
- .4 The social worker/probation officer shall do the following for each child with an approved case plan who is placed in out-of-home care with a relative, foster family home, FFA, or a legal guardian:
 - .41 Visit the child at least once each calendar month.
 - .411 The social worker shall be permitted to have less frequent visits, up to a minimum of once every three calendar months, only if all of the following criteria are met and written supervisory approval has been obtained:
 - (a) The child has no severe physical or emotional problems caused or aggravated by the placement.
 - (b) The placement is stable.

31-320	SOCIAL WORKER/PROBATION OFFICER CONTACTS WITH THE CHILD (Continued)	31-320
---------------	--	---------------

- (c) Subsequent to development of the case plan, and prior to any exception, the child has been visited in three of the most recent four consecutive months.
 - (d) The case record documents the existence of at least one of the following circumstances:
 - (1) The child is placed with a relative.
 - (2) The child is placed with a foster parent who has provided continuous care for the child for a minimum of 12 months.
 - (3) The child is placed voluntarily and the parent(s)/guardian(s) identified in the case plan is making visits at least monthly.
 - (4) The child is under two years of age and less frequent social worker-child visits would facilitate reunification by permitting more frequent social worker-parent/guardian visits.
 - (5) The child is visited once each calendar month by one or more of the following persons when such persons are providing services pursuant to the case plan; and there is a verbal or written agreement with any such services provider, documented in the case record, that he/she will provide contact reports to the social worker:
 - (A) Other social services staff of the county.
 - (B) Staff of another services agency.
 - (C) A physician or other health professional.
 - (6) The child is not placed in a group home or community treatment facility.
 - (e) The social worker shall ensure that verbal or written reports are received and documented in the case record.
- .412 The social worker shall be permitted to have less frequent visits, up to a minimum of once every six consecutive calendar months, if the child is receiving permanent placement services and one of the following criteria is met and written supervisory approval has been obtained:

**31-320 SOCIAL WORKER/PROBATION OFFICER CONTACTS
WITH THE CHILD (Continued)****31-320**

- (a) The dependent child has been placed with a legal guardian, or foster family home and all of the following conditions have been met:
 - (1) The child has been in the placement for at least six consecutive months.
 - (2) The child has no serious emotional problems caused or aggravated by the placement situation, and the social worker has determined that the placement has stabilized.
 - (3) The out-of-home care provider is cooperative in carrying out the case plan.
 - (4) The child is attending school, day treatment, or a licensed day care facility regularly or is being assisted to achieve self-maintenance as specified in a written transitional independent living plan.
 - (b) The child has been placed with a relative and the conditions specified in Sections 31-320.412(a)(1) through (3) have been met.
 - (c) The child is visited monthly by one or more of the following service providers providing services pursuant to the case plan and there is a verbal or written agreement, documented in the case record, that such service providers will provide contact reports to the social worker:
 - (1) Other social services staff of the county.
 - (2) Staff of another services agency.
 - (3) A physician or other health professional.
 - (d) The social worker shall ensure that verbal or written reports are received and documented in the case record.
- .413 The social worker shall be permitted to have less frequent visits, up to a minimum of once every six consecutive calendar months if the child is receiving permanent placement services, is in placement with a legal guardian, and dependency has been dismissed or the child has never been a dependent.

31-320	SOCIAL WORKER/PROBATION OFFICER CONTACTS WITH THE CHILD (Continued)	31-320
---------------	--	---------------

- .414 If the child is placed in a group home, whether in-state or out-of-state, or a community treatment facility, the social worker/probation officer shall visit the child at least once each calendar month, with at least a two-week time frame between visits and document the visits in the child's case plan.
- .5 The minimum visitation requirements for all services are not applicable under the following circumstances:
- .51 The child has an approved case plan, and
- .52 The child is a dependent of the court, and
- .53 The child's whereabouts are unknown and the court has been informed. The social worker must confirm and document in the child's case record that the child's whereabouts are unknown once every 30 days from the date of the initial discovery, or
- .54 The child is residing out of state in a relative, guardian or foster family home under the provisions of the Interstate Compact on the Placement of Children, is receiving services from the receiving state, and the receiving state is providing written or verbal reports to the social worker that are documented in the case record.
- .6 Additional exceptions to the visitation requirement up to a minimum of once every six calendar months shall be permitted, for placements other than a group home or community treatment facility, only in the following circumstances:
- .61 For court supervised cases, court approval of a specific visitation plan.
- .62 For voluntary cases, county deputy director approval of a specific visitation plan.
- .7 Repealed by Manual Letter No. CWS-94-01, effective 4/8/94.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. Sections 675 and 677; Sections 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 10553, 11008.15, 11155.5, 16501(a), 16501.1(b), (d), and (f)(4), 16504, and 16516.5, Welfare and Institutions Code; Sections 7901, 7911 and 7911.1, Family Code; and Sections 1502 and 1502(a)(8), Health and Safety Code.

31-325	SOCIAL WORKER CONTACTS WITH THE PARENT/GUARDIAN	31-325
---------------	--	---------------

- .1 The social worker shall arrange for contact, as determined in the case plan, for each parent/guardian.

HANDBOOK BEGINS HERE

- .11 The purpose of social worker contact with the parent(s)/guardian(s) named in the case plan is to achieve the following objectives:
- .111 Verify the location of the parent(s)/guardian(s), assess the functioning of the parent(s)/guardian(s) as it pertains to meeting the child's basic and special care needs, and the safe maintenance of the child in the home.
 - .112 Gather information to assess the effectiveness of services provided to meet the needs of the parent(s)/guardian(s), to monitor the progress of the parent(s)/guardian(s), and to meet identified goals.
 - .113 Establish and maintain a helping relationship between the social worker and the parent(s)/guardian(s).
 - .114 Counsel the parent(s)/guardian(s) as to current placement and progress.

HANDBOOK ENDS HERE

- .2 The social worker shall visit each parent(s)/guardian(s) named in the case plan receiving in-home services a minimum of once each calendar month.
- .21 The social worker shall be permitted to have less frequent visits, up to a minimum of once every two calendar months, only if all of the following criteria are met and written supervisory approval has been obtained:
- .211 The parent(s)/guardian(s) has no severe physical or emotional problems that affect his/her ability to parent the child.
 - .212 The parent(s)/guardian(s) is visited at least once a week by a family preservation social worker or public health nurse when such persons are providing services pursuant to the case plan, and there is a verbal or written agreement with any such services provider, documented in the case record, that he/she will provide contact reports to the social worker.

- **CALIFORNIA-DSS-MANUAL-CWS**

MANUAL LETTER NO. CWS-94-01 **Effective 4/8/94**

Page 90

31-325	SOCIAL WORKER CONTACTS WITH THE PARENT/GUARDIAN	31-325
---------------	--	---------------

(Continued)

- .41 For court supervised cases, court approval of a specific visitation plan.
- .42 For voluntary cases, county deputy director approval of a specific visitation plan.
- .5 Repealed by Manual Letter No. CWS-94-01, effective 4/8/94.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 366.23(b)(7) and 16501.1(f)(4), Welfare and Institutions Code.

31-330	SOCIAL WORKER CONTACTS WITH THE OUT-OF-HOME CARE PROVIDER	31-330
---------------	--	---------------

- .1 The social worker shall arrange for contact, as determined in the child's case plan, for each out-of-home care provider.

HANDBOOK BEGINS HERE

- .11 The purpose of social worker/out-of-home care provider contact is to achieve the following objectives:
 - .111 Monitor and assess the quality of care provided including the location and safety of the child and the ability of the out of home care provider to meet the child's basic and special needs, if any (e.g. health and educational needs).
 - .112 Gather information to assess the effectiveness of services provided to meet identified goals. Verify and synthesize data and information for court report. Maintain a case plan that is responsive to current and future needs.
 - .113 Establish and maintain mutually cooperative relationship between the social worker and the out-of-home care provider.
 - .114 Counsel the out-of-home care provider as to progress.

HANDBOOK ENDS HERE

31-330	SOCIAL WORKER CONTACTS WITH THE OUT-OF-HOME CARE PROVIDER (Continued)	31-330
---------------	--	---------------

.2 The social worker shall do the following for the out-of-home care provider(s):

.21 Have contact at least once each calendar month.

.211 Social workers shall not be required to contact the out-of-home care provider if the child has been receiving permanent placement services and one of the following criteria is met:

(a) The child has been placed with a legal guardian.

(b) The child has been placed with the same relative for five years or longer and there are no problems with the child's placement.

.22 Visit no less frequently than once every six calendar months.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16501.1(f)(4), (5), and (6), Welfare and Institutions Code.

31-335 SOCIAL WORKER CONTACTS WITH OTHER SERVICE PROVIDERS 31-335

- .1 The social worker shall have contact with other professionals working with the child, parents/guardians, and out-of-home care provider including, but not limited to, the following:
 - .11 Public Health Nurse
 - .12 Professional group home staff
 - .13 Physician
 - .14 Therapist
 - .15 Infant specialist
 - .16 Social workers from other counties or states providing services.

HANDBOOK BEGINS HERE

- .2 The purpose of social worker contact with other professionals is to achieve the following objectives:
 - .21 Confer and collaborate toward the most effective, efficient identification and meeting of the child's or the parent's needs.
 - .22 Monitor safety of the child (e.g., daycare center, public health nurse, etc.) and obtain their perception of the child's well-being.
 - .23 Determine whether parent is following through with commitments.
 - .24 Document reasonable efforts.

HANDBOOK ENDS HERE

- .3 The social worker shall request written reports from the professionals specified in Section 31-335.1, when their services are being provided to a child, parent/guardian, or out-of-home care provider as part of a case plan.

31-335	SOCIAL WORKER CONTACTS WITH OTHER SERVICE PROVIDERS	31-335
---------------	--	---------------

(Continued)

- .31 The social worker shall ensure that such reports are received and documented in the case record.
 - .311 If the social worker is unable to obtain a written report, a verbal report shall be obtained and documented in the case record.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16501.1(f)(4), (5), and (6), Welfare and Institutions Code.

31-340	PARENT/GUARDIAN CONTACTS WITH THE CHILD	31-340
---------------	--	---------------

- .1 The social worker shall not arrange unsupervised visits, unless the court orders unsupervised visits, if the child has been removed pursuant to a finding of "severe physical abuse" as provided for in Welfare and Institutions Code Section 300(e).
- .2 The social worker shall arrange for visits between child and the parent(s)/guardian(s) named in the case plan no less frequently than once each calendar month for children receiving family reunification services.
 - .21 Exceptions to the visitation requirement up to a minimum of once every six months shall be permitted only in the following circumstances:
 - .211 For court supervised cases, court approval of a specific visitation plan.
 - .212 For voluntary cases, county deputy director approval of a specific visitation plan.
 - .22 If the whereabouts of the child or parent are unknown and the social worker has followed the procedures specified in Section 31-320.53 or Section 31-325.33, the social worker shall not be required to arrange monthly visits between the child and the parent/guardian.
- .3 Renumbered to Section 31-340.21 by Manual Letter No. CWS-94-01, effective 4/8/94.
- .4 Repealed by Manual Letter No. CWS-94-01, effective 4/8/94.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16501.1(f)(5) and (6), Welfare and Institutions Code.

31-345	GRANDPARENT CONTACTS WITH THE CHILD	31-345
---------------	--	---------------

- .1 The social worker shall arrange for visits between the child and grandparents, as determined in the child's case plan, for children receiving court-ordered family reunification services.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16507(a), Welfare and Institutions Code.

This page is intentionally left blank.

**CHILD WELFARE SERVICES PROGRAM
PLACEMENT**

TABLE OF CONTENTS

CHAPTER 31-400 PLACEMENT

	Section
General Requirements for Placement	31-401
Social Worker Responsibilities for Placement.....	31-405
Social Worker/Probation Officer Responsibilities for Placement in a Community Treatment Facility	31-406
Temporary Placement.....	31-410
Emergency Shelter Care	31-415
Foster Care Placement	31-420
Permanent Placement	31-425
Additional Requirements for Voluntary Placements.....	31-430
Out-of-County and Out-of-State Placement Requirements.....	31-435
Foster Parent(s) Notification Requirements.....	31-440
Certification Requirements for Foster Homes Pending Licensure.....	31-445

This page is intentionally left blank.

CHAPTER 31-400 PLACEMENT**31-401 GENERAL REQUIREMENTS FOR PLACEMENT****31-401**

- .1 The social worker, other representative of the placing agency or another agency providing services, or other adult with whom the child is familiar, shall be present at the time of placement unless the child is placed out of state.
- .2 At the time of initial placement in foster care of a child who is a dependent of the court, the agency responsible for placement and care shall provide information describing the review process, including the permanency planning hearing, and subsequent court and administrative reviews, to the parent(s)/guardian(s); and to the child, if 10 years of age or older.
- .3 The placement of children in the same home or facility when such children have different legal status shall be subject to the provisions of Welfare and Institutions Code Sections 206 and 16514.
- .4 A foster parent providing out-of-home care to a child pursuant to court orders or providing such services to a voluntarily placed child shall have the legal consent authority specified in Health and Safety Code Section 1530.6.

HANDBOOK BEGINS HERE

- .41 This statute provides that such foster parents may give the same legal consent for such child as would a parent except as specified in Sections 31-401.411 through .413.
 - .411 A foster parent does not have the authority to give legal consent for any of the following:
 - (a) Marriage.
 - (b) Entry into the armed forces.
 - (c) Medical or dental treatment which is not ordinary.
 - (1) Ordinary medical or dental treatment includes but is not limited to the following routine services provided by or under the supervision of licensed practitioners of medicine and dentistry to protect or enhance a child's health:
 - (A) Immunizations.
 - (B) Physical examinations.
 - (C) X-rays.

HANDBOOK CONTINUES

31-401	GENERAL REQUIREMENTS FOR PLACEMENT (Continued)	31-401
---------------	--	---------------

HANDBOOK CONTINUES

- .412 A parent of a voluntarily placed child has the authority to modify or prohibit consent by a foster parent if a written agreement regarding such modification or prohibition exists between the agency and the parent.
- .413 A court of competent jurisdiction has the authority to issue an order limiting foster parent's authority to give such consent.

HANDBOOK ENDS HERE

- .5 For a child placed in-state or out-of-state, the placement shall be in an appropriately licensed facility which accords the child the same personal rights awarded children in California as specified in California Code of Regulations, Title 22, Division 6, Sections 80072, 84072, 84072.1, and 84072.2.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code; and Section 1530, Health and Safety Code. Reference: Section 16501, Welfare and Institutions Code; Sections 1501, 1530.6, and 1531, Health and Safety Code.

31-405	SOCIAL WORKER RESPONSIBILITIES FOR PLACEMENT	31-405
---------------	---	---------------

- .1 When arranging for a child's placement the social worker shall:
- (a) Consider the non-custodial parent pursuant to Welfare and Institutions Code Section 361.2.
 - (b) Give preferential consideration for placement of the child to an adult who is a grandparent, aunt, uncle or sibling of the child.
 - (1) As required by Welfare and Institutions Code Section 361.3, a finding that the relative is not willing to adopt or seek guardianship for the child cannot be used as the sole basis for denying placement with a relative.
 - (2) As assessment shall be conducted for the relative(s) and shall include but not be limited to the factors required in Welfare and Institutions Code Section 361.3.
 - (c) Consider relatives identified by the social worker as willing and appropriate to care for the child if no non-custodial parent or relative given preferential consideration is available.

31-405	SOCIAL WORKER RESPONSIBILITIES FOR PLACEMENT	31-405
---------------	---	---------------

(Continued)

- (1) As required by Welfare and Institutions Code Section 361.3, a finding that the relative is not willing to adopt or seek guardianship for the child cannot be used as the sole basis for denying placement with a relative.
 - (2) An assessment shall be conducted for the relative(s) and shall include but not be limited to the factors required in Welfare and Institutions Code Section 361.3.
- (d) Meet the requirements specified below when placing a child under the age of six in a group home:
- (1) A child under the age of six shall not be placed in a group home unless one or more of the following conditions are met, and the placement facility meets the licensing standards specified in Title 22, Division 6, Subchapter 2:
 - (A) The placement will provide comprehensive diagnostic assessment to enable long-term decisions about the child's future.
 - (B) The placement meets the child's special treatment needs which can be met by the group home while program planning and testing occur to prepare the child for a less restrictive, permanent placement;
 - (C) The placement enhances and supports the case plan goal of family reunification with parents or kin or for adoption when no other suitable, less restrictive placement is available;
 - (D) The placement is for temporary shelter care and shall not be for more than thirty days and no other, less restrictive placement is available; or
 - (E) The placement will keep a sibling group together until a more suitable, less restrictive placement is found.

31-405	SOCIAL WORKER RESPONSIBILITIES FOR PLACEMENT	31-405
---------------	---	---------------

(Continued)

- (F) Effective 1/1/2000, any child under the age of six shall be placed in a family like setting as defined in Title 22, Section 84201(f)(2). In the event such a setting is unavailable, the county shall request approval from the Department for any alternative placement in excess of 30 days. The Department has the authority to approve these placements if the request is in the best interest of the child and shall in no instance be detrimental to the health and safety of the child. The county welfare director shall submit the request to the Department with substantiating evidence supporting the request and specifying that the child has special needs that render the child extremely difficult to place, and there is no family like setting that can meet the child's special needs. The Department shall provide a written approval or denial of the request within 5 days of receipt of the request.
- (e) Ensure that a child under the age of six placed for temporary shelter care in a county operated or county contracted emergency shelter care facility, shall not be placed in the facility for more than thirty days.
 - (1) A county operated or county contracted emergency shelter care facility shall conform to all regulations in Title 22, Division 6, Subchapter 2 except as noted below:
 - (A) The facility shall be exempt from the licensing standards specified in Sections 84200(a)(2)(A) through (C).
 - (B) For an unlicensed county operated emergency shelter care facility only, the Plan of Operation required by Section 84222 must be kept only on file at the facility and need not be submitted to the Department for approval.
- (f) Meet the requirements specified in Section 31-515 when placing an Indian child.
- (g) Assist each child in understanding the reason(s) for placement.
- (h) Arrange for preplacement visitation between the child and the out-of-home care provider, if possible.
- (i) Assist each child to maintain his/her cultural and ethnic identity.
- (j) Monitor the child's physical and emotional condition, and take necessary actions to safeguard the child's growth and development while in placement.

31-405	SOCIAL WORKER RESPONSIBILITIES FOR PLACEMENT	31-405
---------------	---	---------------

(Continued)

- (k) Ensure that information regarding available CHDP services is provided to the out-of-home care provider within 30 days of the date of placement.
- (l) Ensure that the child receives medical and dental care which places attention on preventive health services through the Child Health and Disability Prevention (CHDP) program, or equivalent preventive health services in accordance with the CHDP program's schedule for periodic health assessment.
 - (1) Each child in placement shall receive a medical and dental examination, preferably prior to, but not later than, 30 calendar days after placement.
- (m) Make certain that arrangements for, and monitoring of, the child's educational progress while in placement are undertaken.
- (n) Make arrangements for the out-of-home care provider to have telephone access to a social worker 24 hours a day, seven days a week in case of emergencies involving his/her foster child(ren).
- (o) Ensure that the out-of-home care provider understands and supports the child's case plan, and is aware of any change(s) thereto.
- (p) Provide the out-of-home care provider the child's background information as available, including, but not limited to, the following histories:
 - (1) Educational.
 - (2) Medical.
 - (3) Placement.
 - (4) Family.
 - (5) Behavioral.
- (q) Provide the out-of-home care provider(s) information of any known or suspected dangerous behavior of the child being placed.

31-405	SOCIAL WORKER RESPONSIBILITIES FOR PLACEMENT	31-405
---------------	---	---------------

(Continued)

- (b) Name of person receiving information.
 - (c) Specific facts provided.
 - (d) Affirmation that the person informed was advised that the facts were confidential and that unauthorized disclosure could result in a fine up to \$1,000.
- (r) Ensure completion of the documentation necessary to initiate AFDC-FC payments, as appropriate.
- (s) Assist the parents to understand their rights and responsibilities while their child is in foster care.
- (t) Document the reason(s) for the following, when applicable:
 - (1) The child's transfer to another placement location.
 - (2) The child's out-of-county or out-of-state placement.
- (u) Develop a discharge plan for any child who:
 - (1) Is under six years of age; and
 - (2) Is leaving a group home placement to return to parents, kin or an adoptive family or to placement in a foster family home.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 309 and 319 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 361.2, 361.3 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 11467.1, and 16501, Welfare and Institutions Code; and Section 1530.8, Health and Safety Code.

**31-406 SOCIAL WORKER/PROBATION OFFICER RESPONSIBILITIES
FOR PLACEMENT IN A COMMUNITY TREATMENT FACILITY****31-406**

- .1** In addition to the requirements specified in Section 31-405, when arranging for a child's placement in a community treatment facility, the social worker/probation officer shall obtain the following documentation:
 - .11** A written statement, signed by an appropriate licensed mental health professional, certifying that the child is seriously emotionally disturbed; requires a period of containment to participate in and benefit from mental health treatment; that a proposed treatment program is reasonably expected to improve the child's mental disorder; and that the child meets one of the following requirements:
 - .111** The child must have participated in other less restrictive mental health interventions, including, but not limited to, outpatient therapy, family counseling, case management, family preservation efforts, special education classes, or nonpublic schooling.
 - .112** The child is currently placed in a psychiatric or state hospital or a facility outside the state for mental health treatment.
 - .12** A written consent to treatment on behalf of each child in one of the following forms:
 - .121** An application for a child of any age under the jurisdiction of the juvenile court and the court's consent to treatment documented by a copy of the juvenile court ruling making the findings specified in Section 6552 of the Welfare and Institutions Code, together with the child's application for treatment.
 - .122** An application made by the conservator for a child of any age in custody of a conservator documented by the court papers appointing the conservator and delineating the conservator's authorization to place the child in a community treatment facility, as well as any other powers that may be relevant in this setting, along with the conservator's written consent for treatment.
 - .123** An application made by the parent(s) of a child under the age of 14 documented by a written consent to treatment signed by both parents or the admitting parent must submit a court order demonstrating that he or she has sole legal custody and control of the child.
 - .124** An application for a child 14 through 17 years of age not within the jurisdiction of the juvenile court documented by a written consent to treatment signed by both parents or the admitting parent must submit a court order demonstrating that he or she has sole legal custody and control of the child and one of the following:

**31-406 SOCIAL WORKER/PROBATION OFFICER RESPONSIBILITIES
FOR PLACEMENT IN A COMMUNITY TREATMENT FACILITY****31-406**

(Continued)

- (a) A statement signed by the child and the child's attorney or patients' rights advocate that the child has made a knowing and voluntary waiver of his or her right to a pre-admission hearing after being advised by the attorney or notified by the advocate of his or her right to a pre-admission hearing in accordance with *In re Roger S.* (1977) 19 Cal. 3d 921. If the child waives his or her right to a pre-admission hearing based on the notification of rights by the advocate, the child's statement must also indicate that he or she has been notified of his or her right to receive the advice of an attorney and has made a knowing and voluntary waiver of that right; or
- (b) The findings and order from a pre-admission hearing conducted in accordance with Section 1923(b)(4)(B) of the California Code of Regulations, Title 9, Chapter 11, pursuant to Section 4094(g) of the Welfare and Institutions Code that specifies all of the following findings:
 - (1) The child suffers from a mental disorder;
 - (2) There is a substantial probability that treatment will significantly improve the child's mental disorder;
 - (3) The proposed placement is the least restrictive setting necessary to achieve the purposes of treatment; and
 - (4) There is no suitable alternative to community treatment facility placement.

HANDBOOK BEGINS HERE

- (c) Title 9, California Code of Regulations Section 1923(b)(4)(B) states in pertinent part:

"...A hearing held in accordance with this provision shall include but not be limited to the following:

 - "1. A neutral and detached fact finder and decision maker who shall have no personal, administrative or financial ties to any parties represented at the hearing nor to the proposed placement facility;
 - "2. Adequate written notice to the child before the hearing stating the basis for the proposed admission to a CTF;

HANDBOOK CONTINUES

**31-406 SOCIAL WORKER/PROBATION OFFICER RESPONSIBILITIES
FOR PLACEMENT IN A COMMUNITY TREATMENT FACILITY**
(Continued)**31-406**

HANDBOOK CONTINUES

"3. An informal setting to minimize the anxiety of both parents and children and to promote cooperation and communication between all parties. All parties shall speak in terms the child understands and shall explain any terminology with which he is unfamiliar;

"4. The stipulation that formal rules of evidence are not applicable and that the standard for decision shall be by a preponderance of the evidence;

"5. The requirement that the hearing shall be closed to anyone other than the child, his parents or parent, the child's attorney, the person conducting the hearing, the professional person presenting evidence in favor of the commitment, and other persons requested to be in attendance by the child or by the child's attorney.

"6. Assistance provided by an attorney to the child who shall be allowed to call witnesses, examine evidence, present evidence on his own behalf and question persons presenting evidence in support of the admission; and

"7. Maintenance of a record of the proceedings adequate to permit meaningful judicial or appellate review which shall be confidential in accordance with Section 5328 of the Welfare and Institutions Code."

HANDBOOK ENDS HERE

- .13 A written authorization from the placing county's Interagency Placement Committee certifying that the child is in need of the level of care and services provided by the community treatment facility and to the appropriateness of the following documentation:
- .131 The written statement by a licensed mental health professional that demonstrates the child meets the requirements of Section 31-406.11.
- .132 Informed consent is given by the child, the child's parents or the parent having sole legal custody and control of the child, or the conservator as specified in Section 31-406.12.
- .133 The findings and order by the pre-admission administrative hearing officer specifying that all of the findings specified in Section 31-406.124 have been made for a child 14 through 17 years of age under parental custody who has not waived his or her right to a pre-admission hearing.

31-406	SOCIAL WORKER/PROBATION OFFICER RESPONSIBILITIES FOR PLACEMENT IN A COMMUNITY TREATMENT FACILITY	31-406
---------------	---	---------------

(Continued)

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 4094, 4094.5, 4094.6, 4094.7, 5585.58, and 5600.3, Welfare and Institutions Code; Sections 1502 and 1502(a)(8), Health and Safety Code, and In re Roger S. (1977) 19 Cal. 3d 921.

31-410	TEMPORARY PLACEMENT	31-410
---------------	----------------------------	---------------

- .1 Temporary placement services shall consist of emergency shelter care and out-of-home respite care.
- .2 Temporary placement services shall be provided when the social worker has considered and/or used in-home services and has determined that the provision or continued provision of these services will not safely maintain the child in his/her own home.
- .3 Emergency shelter care services shall be provided as specified in Section 31-415.
- .4 When selecting a temporary placement for the child, the social worker shall adhere to the following priority order:
 - .41 The home of a relative, including the non-custodial parent, in which the child can be safely placed on a temporary basis. Such a determination shall be based on an emergency assessment as defined in Section 31-002(e)(2).
 - .42 A licensed foster family home, licensed small family home, or a licensed foster family agency for placement in a family home which has been certified by the foster family agency, a county-operated emergency shelter care facility, or an appropriate certified family home whose license is pending and all the prelicense requirements for such placement have been met as set forth in Welfare and Institutions Code Section 361.2(g).
 - (a) A child under the age of six who is placed in a county operated or county contracted emergency shelter care facility for thirty days or less shall be cared for by a Primary Caregiver as defined in Section 31-002(p)(7).
 - .43 A licensed group home.
 - .431 Group home placements shall be subjected to the additional criteria specified in Sections 31-420.241(a) and (b).
 - .432 Group home placements of children under the age of six shall be subject to the additional criteria specified in Section 31-405.1(b).
- .5 The social worker shall begin an emergency assessment for a relative, as defined in Welfare and Institutions Code Section 319, who either has requested placement of a child pending the detention hearing or whom the social worker has identified as willing to provide care for a child pending the detention hearing.
 - .51 The emergency assessment shall include, but is not limited to, all of the following:
 - .511 An in-home visit to assess the safety of the home.
 - .512 As assessment of the relative's ability to provide temporary care for the child.

31-410	TEMPORARY PLACEMENT	31-410
---------------	----------------------------	---------------

(Continued)

- .513 The results of a criminal records check conducted through the California Law Enforcement Telecommunications System (CLETS) on all persons 18 years of age or older residing in the home, provided that the county board of supervisors of the placing county adopts a resolution allowing a county child welfare services agency to secure CLETS information.

HANDBOOK BEGINS HERE

- (a) Health and Safety Code Section 1522.06(c) specifies that relatives or people living in the homes of relatives are not precluded from refuting any of the information obtained by law enforcement if the individual believes the criminal record check revealed erroneous information. It is therefore prudent for county staff making inquiries of criminal records information to take necessary and appropriate actions to verify the accuracy of the information provided and to ensure that it is a correct reflection of the adult seeking placement and of the other adults in the home.

HANDBOOK ENDS HERE

- .514 The results of a Child Abuse Central Index (CACI) check conducted on all persons 18 years of age and older residing in the home.

HANDBOOK BEGINS HERE

- (a) Penal Code Section 11170(b)(5) specifies that when Child Abuse Central Index information is released by the Department of Justice for the temporary placement of a child, the child protective services agency or court investigator is responsible for notifying, in writing, the person listed in the Child Abuse Central Index that he/she is in the index. The notification shall include the name of the reporting agency and the date of the report.
- (b) Penal Code Section 11170(b)(6)(A) requires persons or agencies who receive Child Abuse Central Index information for purposes of licensing, adopting or placing a child to obtain the underlying report from the reporting agency and make their own independent assessment regarding the quality of the evidence disclosed and its sufficiency for making decisions regarding the placement of a child which will be the most appropriate placement and in the best interest of the child.

HANDBOOK CONTINUES

31-410	TEMPORARY PLACEMENT	31-410
---------------	----------------------------	---------------

HANDBOOK CONTINUES

- .52 A copy of the written emergency assessment may be made available to the appropriate adoption agency in the event that the relative(s) considered is assessed as being able and willing to provide a legally permanent home for the child, so that an abbreviated adoption assessment may be made if adoption becomes the permanency alternative implemented for the child.

HANDBOOK ENDS HERE

- .6 The temporary placement shall be based on the following needs of the child including, but not limited to:
- .61 The least restrictive, most family-like environment.
 - .62 The child's age and sex.
 - .63 The child's health and any special needs of diet, medical or psychological care.
 - .64 The possible need for access to or protection from the child's parent(s)/guardian(s).
 - .65 The protective needs of the community.
 - .66 The most appropriate placement selection.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 309 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 319 (as amended by Senate Bill 2232, Chapter 1530, Statutes of 1990), 319(d) (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 361.2(b) and (g), 366(c), 11467.1, and 16501.1(c), Welfare and Institutions Code; Section 1530.8, Health and Safety Code; Sections 11170(b)(5) and 11170(b)(6) (as amended by Senate Bill 644, Chapter 842, Statutes of 1997), Penal Code; and 42 U.S.C. Section 675(1)(A).

31-415	EMERGENCY SHELTER CARE	31-415
---------------	-------------------------------	---------------

- .1 Provision of emergency shelter care shall not exceed 30 calendar days in any one episode that requires removal of the child except as follows:
 - .11 The county shall be permitted to provide emergency shelter care beyond 30 calendar days only when the case record documents the existence of one of the following circumstances:
 - .111 Emergency shelter care is necessary to meet the continuing protective needs of the child, and there is no other location wherein these protective needs can be met.
 - .112 The child has special needs which render him/her extremely difficult to place, and there is no other location available wherein these special needs can be met.
 - .12 The circumstances permitting extension of emergency shelter care beyond 30 calendar days shall be reviewed and the extension approved in writing by an administrative official higher than a first-level supervisor.
- .2 In no event shall federal and/or state funds appropriated for the purpose of providing any of the child welfare services specified in Division 31 be provided for emergency shelter care beyond 30 calendar days in any one episode except as follows:
 - .21 Each county is permitted to utilize county-only funds to draw down federal financial participation under the Emergency Assistance program, with no state share of cost, in order to provide emergency shelter care beyond 30 calendar days in any one episode if:
 - .211 the child is from a needy family authorized to receive Emergency Assistance funding in accordance with provisions in the Title IV-A State Plan implementing 45 CFR 233.120; and
 - .212 the circumstances specified in Section 31-415.1 are documented in the child's case record.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16501(a)(3), Welfare and Institutions Code and 45 CFR 233.120.

31-420	FOSTER CARE PLACEMENT	31-420
---------------	------------------------------	---------------

- .1 The foster care placement shall be based on the following needs of the child including, but not limited to:
 - .11 The least restrictive, most family-like environment.
 - .12 The child's age, sex and cultural background, including racial or ethnic and religious identification.
 - .13 Planned parent/guardian-child contacts during the separation, and the specific actions to be taken by the parent(s)/guardian(s) which will facilitate reunification.
 - .14 Capability of the foster parent(s) to meet specific needs of the child.
 - .15 The willingness and ability of a relative to meet the child's needs, to facilitate family reunification, and provide the child's permanency alternative, if necessary.
 - .16 Appropriateness of attempting to maintain the child in his/her current school.
 - .17 The child's health and emotional factors.
 - .18 Anticipated special needs of the child, including but not limited to transportation, diet, medical and/or psychological care, clothing, recreation, and special education.
 - .19 The most appropriate placement selection.
- .2 When selecting a foster care placement for the child, the social worker shall adhere to the following priority order:
 - .21 The home of a relative, including the non-custodial parent, in which the child can be safely placed as assessed according, but not limited to, the requirements specified in Welfare and Institutions Code Section 361.3.
 - .211 Preferential consideration for placement of the child shall be given to a non-custodial parent, then an adult who is a grandparent, aunt, uncle or sibling of the child.
 - (a) As required by Welfare and Institutions Code Section 361.3, a finding that the relative cannot provide legal permanence for the child shall not be used as the sole basis for denying placement with a relative.

This page is intentionally left blank.

31-420	FOSTER CARE PLACEMENT (Continued)	31-420
---------------	--	---------------

HANDBOOK BEGINS HERE

- .212 A copy of the written assessment made pursuant to Welfare and Institutions Code Section 361.3 may be made available to the appropriate adoption agency in the event that the relative(s) considered agree to become a permanency planning family, so that an abbreviated adoption assessment may be made if adoption becomes the permanency alternative implemented for the child. See Section 31-410.513(a) and Sections 31-410.514(a) and (b).

HANDBOOK ENDS HERE

- .213 When a child is placed under such circumstances, the foster home shall be exempt from licensure pursuant to Health and Safety Code Section 1505.
- .22 A licensed foster family home, licensed small family home, or a licensed foster family agency for placement in a family home which has been certified by the foster family agency.
- .23 A family home which has been certified pending licensure.
- .231 No child shall be placed in a family home which has been certified pending licensure unless the case record documents that the child's specific needs cannot be met by an available licensed or exempt facility.
- (a) Under such circumstances, the placing worker shall complete the requirements specified in Section 31-445 prior to placement.
- .24 A licensed group home.
- .241 Placements in group homes shall be subject to the following additional requirements:
- (a) The following conditions shall exist and shall be documented in the case plan:
- (1) Placement is necessary to meet the treatment needs of the child.
- (2) The group home has a treatment program that meets such treatment needs.
- (b) The social worker shall also document in the case record the reason(s) for the following:

31-420	FOSTER CARE PLACEMENT (Continued)	31-420
---------------	--	---------------

.242 For a child under the age of six, the social worker shall document in the case plan that the placement meets the requirements specified in Section 31-405.1(b) or in Section 31-405.1(c), whichever is applicable.

- (1) A statement of the specific needs of the child which cannot be met if the child resides in a less restrictive environment.
- (2) A description of the types and modalities of treatment program(s) offered and delivered to the child.

.25 A licensed community treatment facility.

.251 Placements in community treatment facilities shall be subject to the following additional requirements.

(a) The following conditions shall exist and shall be documented in the case plan:

- (1) Placement is necessary to meet the mental health needs of the child.
- (2) The community treatment facility has a program that meets such mental health needs.

(b) The social worker/probation officer shall also document in the case record the reason(s) for the following:

- (1) A statement of the specific needs of the child which cannot be met if the child resides in a less restrictive environment.
- (2) A description of the types and modalities of treatment program(s) offered and delivered to the child.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 361.2(b), 361.2(e)(2) and (3), 361.3 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 366(c), 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 16501.1(b) and (c), 11467.1, and 16507.5(b), Welfare and Institutions Code; Sections 1502, 1502(a)(8), and 1530.8, Health and Safety Code; Section 275, Civil Code; and 42 U.S.C. Section 671(1)(A).

31-425	PERMANENT PLACEMENT	31-425
---------------	----------------------------	---------------

.1 The permanent placement shall be based on the following needs of the child including, but not limited to:

.11 The degree of permanency of the available alternatives.

31-425	PERMANENT PLACEMENT (Continued)	31-425
---------------	--	---------------

- .12 The child's age, sex and cultural background, including racial or ethnic and religious identification.
- .13 Capability of a relative, the out-of-home care provider(s), adoptive parent(s), or guardian(s) to meet specific needs of the child.
 - .131 If the child is not placed with a permanency planning family or if the permanency alternative identified in the case plan fails, preferential consideration for placement of the child shall be given the non-custodial parent, then to an adult who is a grandparent, aunt, uncle or sibling of the child, as required in Welfare and Institutions Code Section 361.3.
 - .132 The home of a relative, including the non-custodial parent, considered for placement shall be assessed according to the requirements in Welfare and Institutions Code Section 361.3.

This page is intentionally left blank.

31-425	PERMANENT PLACEMENT (Continued)	31-425
---------------	---	---------------

HANDBOOK BEGINS HERE

.133 See Sections 31-410.513(a), .514(a) and (b), and .52.

HANDBOOK ENDS HERE

- .14 Appropriateness of attempting to maintain the child in his/her current school.
- .15 The child's health and emotional factors.
- .16 Anticipated special needs of the child, including but not limited to, transportation, diet, medical and/or psychological care, clothing, recreation, and special education.
- .2 When selecting a permanent placement for the child, the social worker shall adhere to the priority order specified in Sections 31-201.12(c)(2)(A) through (C).
- .3 When the court, pursuant to Section 366.26 of the Welfare and Institutions Code, orders placement of a child in long-term foster care with a relative, the court may authorize the relative to provide the same legal consent for the child's medical, surgical, and dental care, and education as the custodial parent of the child.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 361.2 and 361.3 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997), 366.27 (as amended by AB 2129, Chapter 1089, Statutes of 1993), 16501 and 16501.1, Welfare and Institutions Code; and Section 275, Civil Code.

31-430	ADDITIONAL REQUIREMENTS FOR VOLUNTARY PLACEMENTS	31-430
---------------	---	---------------

- .1 In addition to the general requirements specified in other Division 31 regulations, the provisions specified below shall apply to voluntary placements.
- .2 Voluntary placement of a nondependent child shall occur only when there is a written voluntary placement agreement between the county and the parent(s)/guardians(s) pursuant to the provisions of Sections 16507.2, 16507.3, and 16507.4(b), Welfare and Institutions Code.
- .3 The social worker shall:
 - .31 Complete the Voluntary Placement Agreement-Parent/Agency.
 - .32 Provide a written statement informing the parent(s)/guardian(s) that he/she may be responsible for a share of the family reunification services costs.

31-430	ADDITIONAL REQUIREMENTS FOR VOLUNTARY PLACEMENTS	31-430
---------------	---	---------------

(Continued)

- .33 Assist the parent(s)/guardian(s) of voluntarily placed children to understand that he/she still retains legal custody of the child even though he/she voluntarily places the child with the agency; and that he/she may limit by written agreement the scope of the foster parent's authority to give parental consent.
- .34 Ensure that the computation of the share of costs is completed pursuant to Welfare and Institutions Code Section 16507.4(a).

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16507.2, 16507.3, and 16507.4, Welfare and Institutions Code.

31-435	OUT-OF-COUNTY AND OUT-OF-STATE PLACEMENT REQUIREMENTS	31-435
---------------	--	---------------

- .1 Out-of-county placements shall be subject to the additional criteria specified in Section 31-505.
- .2 Out-of-state placements shall be subject to the additional criteria specified in Section 31-510.
- .21 Prior to placing a child in an out-of-state group home, the county multidisciplinary team shall assess the child's need for an out-of-state group home placement and make a placement recommendation to the court. Upon an order from the court, the county placing agency shall make the placement pursuant to the Interstate Compact on the Placement of Children (Section 31-510).

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 361.2, Welfare and Institutions Code; and Sections 7901, 7911, 7911.1, and 7912, Family Code.

31-440	FOSTER PARENT(S) NOTIFICATION REQUIREMENTS	31-440
---------------	---	---------------

- .1 The foster parent(s) shall be given at least seven calendar days' advance written notice of intent to remove a child, and of the right to request a grievance review.
- .11 The county shall have the authority to include a waiver of the notice requirement specified in Section 31-440.1 in the written placement agreement with the foster parent(s).
 - .111 Waivers shall not exceed six months from the date of placement.
 - .112 Waivers shall be considered exceptions used solely to meet unusual individual needs.
- .2 The county shall not be required to provide the notice specified in Section 31-440.1 if one or more of the following conditions exist:

31-440	FOSTER PARENT(S) NOTIFICATION REQUIREMENTS	31-440
---------------	---	---------------

(Continued)

- .21 The child is in immediate danger.
 - .22 A signed waiver of notice has been obtained from the foster parent(s), as specified in Section 31-440.11.
 - .23 A court has ordered the child's removal.
 - .24 Adverse licensing or certification actions have occurred which prohibit the foster parent(s) from continuing to provide services.
 - .25 Removal of a voluntarily placed child is made or requested by the child's parent(s)/guardians.
 - .26 The child is removed from an emergency placement.
- .3 For foster parents providing permanent placement services the social worker shall provide the foster parent(s) with written notice explaining the court order that permanent placement services be terminated.
- .31 The county shall be permitted to use a copy of the court report or modified service plan for purposes of notifying the foster parent(s), if appropriate.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16501, Welfare and Institutions Code.

31-445	CERTIFICATION REQUIREMENTS FOR FOSTER HOMES PENDING LICENSURE	31-445
---------------	--	---------------

- .1 Prior to placement of a child in a family home which is pending licensure, the social worker shall certify that the home meets licensing standards, and shall complete the following additional requirements:
 - .11 An on-site evaluation of the home shall be conducted. Such evaluation shall include the following:
 - .111 An assessment of the prospective foster parent'(s) ability and desire to meet the child's specific needs and to participate in planning for the child.
 - .112 Verification that the home has no safety defects which could pose a hazard to the child, including, but not limited to, the following:
 - (a) An unfenced swimming pool if serving a child who is either under six years of age or has a disability.
 - (b) Exposed electrical wiring.
 - (c) Inoperative plumbing fixtures.
 - .113 Verification that the home is of sufficient size and adequately furnished to meet the needs of the entire foster family.
 - .12 Verification shall be obtained that the following have occurred:
 - .121 An application for a foster family home license has been made.
 - .122 The application and its supportive documents do not raise a possible license denial issue.
 - .123 The foster parent agreement has been signed by the foster parent(s).
 - .124 The foster parent(s) has signed a statement indicating that he/she has never been convicted of, nor is awaiting trial for, any crime other than a minor traffic violation.

31-445	CERTIFICATION REQUIREMENTS FOR FOSTER HOMES PENDING LICENSURE (Continued)	31-445
---------------	--	---------------

- .13 The documentation specified in Sections 31-420.231 and 31-445.12 shall be completed.
- .14 The licensing agency shall be notified that a placement is to be made, when the placement is to occur, and its estimated duration.
- .15 Written supervisory approval of the placement shall be obtained.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16507.5(b), Welfare and Institutions Code; and Sections 1522 and 1522.05, Health and Safety Code.

This page is intentionally left blank.